

## Message Text

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DRAFTED BY INT/FWS/SE:ROSKOOG;JAM

APPROVED BY OES/ENP/EN:LINDSEY GRANT

INT/FWS/AFA:KSCHREINER

INT/FWS/LE:RPARSONS

INT/FW:EUCBOHLEN

OES/ENP/EN:JBURKE

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FM SECSTATE WASHDC

TO AMEMBASSY CANBERRA

UNCLAS STATE 043102

E.O. 11652: N/A

TAGS: SENV, TGEN, AS, US

SUBJECT: USA BAN ON COMMERCIAL IMPORTATION OF RED, EASTERN GRAY, AND WESTERN GRAY KANGAROO, INCLUDING PARTS AND PRODUCTS.

REF: STATE 61603 (19 MAR 75)

1. PLEASE PASS THE FOLLOWING INFORMATION TO GOA; TO DEPARTMENT OF ENVIRONMENT, CANBERRA; AND TO EACH OF THE AUSTRALIAN STATE GOVERNMENTS.
  2. THE U.S. FISH AND WILDLIFE SERVICE (USFWS) RECEIVED A REQUEST FROM GOA TO LIFT THE PRESENT BAN ON THE COMMERCIAL IMPORTATION OF THE THREE SUBJECT SPECIES OF KANGAROO AND THEIR PARTS AND PRODUCTS WITH REGARD TO THE STATES OF NEW SOUTH WALES, QUEENSLAND, SOUTH AUSTRALIA, AND WESTERN AUSTRALIA. UNDER REGULATIONS PROMULGATED BY SECRETARY OF THE INTERIOR, EFFECTIVE JANUARY 28, 1975, THE DIRECTOR
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AUSTRALIA. UNDER REGULATIONS PROMULGATED BY SECRETARY OF THE INTERIOR, EFFECTIVE JANUARY 28, 1975, THE DIRECTOR

USFWS CAN PERMIT SUCH IMPORTATION, AT HIS DISCRETION, UPON RECEIVING FROM THE GOA A CERTIFICATE THAT A PARTICULAR STATE HAS DEVELOPED AN EFFECTIVE SUSTAINED-YIELD PROGRAM FOR THESE SPECIES AND THAT THE TAKING OF SUCH SPECIES IN THAT STATE WILL NOT BE DETRIMENTAL TO ITS SURVIVAL IN THE WILD, AND UPON PROOF THAT SUCH WILDLIFE IS LAWFULLY

TAKEN AND EXPORTED FROM THAT STATE.

3. THE USFWS HAS RECEIVED AND REVIEWED THE KANGAROO MANAGEMENT PLANS FROM ALL FOUR STATES. BASED UPON THIS REVIEW, UPON THE SMITH-SKOOG REPORT ("ANALYSIS OF KANGAROO STATUS AND MANAGEMENT IN AUSTRALIA, 1975"), AND UPON OTHER DELIBERATIONS, THE DIRECTOR HAS DECIDED UPON THE FOLLOWING COURSE OF ACTION. BEFORE TAKING STEPS TO LIFT THE IMPORT BAN FOR ANY STATE, HOWEVER, HE FIRST MUST RECEIVE OFFICIAL CERTIFICATION FROM THE GOA WITH REGARD TO EACH STATE CONCERNED

(A) THAT THE STATE HAS IMPLEMENTED AN EFFECTIVE SUSTAINED-YIELD MANAGEMENT PROGRAM FOR EACH OF THE THREE KANGAROO SPECIES (RED, EASTERN GRAY, AND WESTERN GRAY) WHICH OCCURS IN THAT STATE;

(B) THAT THE TAKING OF THESE SPECIES IN THE STATE WILL NOT BE DETRIMENTAL TO THEIR CONTINUED SURVIVAL IN THE WILD WITHIN THE STATE;

(C) THAT ALL ANIMALS, PARTS, OR PRODUCTS OF THESE SPECIES OFFICIALLY EXPORTED COMMERCIALY TO THE UNITED STATES WILL HAVE BEEN LAWFULLY TAKEN IN AN APPROVED STATE AND LAWFULLY EXPORTED; AND

(D) THAT NONE OF THE THREE SPECIES IS OFFICIALLY LISTED OR CLASSIFIED AS "VERMIN" BY THE STATE IN QUESTION.

4. UPON RECEIVING SUCH CERTIFICATION FROM GOA FOR ANY AUSTRALIAN STATE, THE DIRECTOR WILL ISSUE A "PROPOSED RULEMAKING" IN THE FEDERAL REGISTER OUTLINING HIS PROPOSAL TO LIFT THE COMMERCIAL IMPORTATION BAN ON THESE KANGAROO FOR ONE OR MORE STATES, AS THE CASE MAY BE, FOR A PERIOD OF TWO YEARS. THERE WILL BE A 60-DAY COMMENT PERIOD AVAILABLE TO ALL INTERESTED PARTIES. AT UNCLASSIFIED UNCLASSIFIED

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THE CLOSE OF THAT PERIOD, A "FINAL RULEMAKING" WILL BE MADE IF THE BAN IS TO BE LIFTED OR, IF THE BAN IS TO BE RETAINED, A SIMPLE "NOTICE" TO THAT EFFECT WILL BE PUBLISHED.

5. IF THE BAN IS LIFTED FOR TWO YEARS, ANY FURTHER COMMERCIAL IMPORTATION BEYOND THAT TIME PERIOD WILL BE CONTINGENT UPON THE GOA HAVING RATIFIED THE "CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA" AND HAVING PLACED THE THREE SPECIES OF

KANGAROO IN QUESTION ON APPENDIX II OF THAT CONVENTION, IN ACCORDANCE WITH GOA COMMITMENT MADE AT CONVENTION CONFERENCE IN MARCH 1973. IF SUCH ACTION IS ACCOMPLISHED, THEN ALL FUTURE IMPORTS INTO THE USA WILL BE GOVERNED BY THE RULES OF THE CONVENTION.

6. IF GOA HAS NOT RATIFIED THE CONVENTION BY THAT TIME, THE CONTINUED COMMERCIAL IMPORTATION OF THESE KANGAROO INTO THE USA WILL BE CONTINGENT UPON THE GOA ANNUALLY CERTIFYING, WITH ACCEPTABLE EVIDENCE AND FOR EACH STATE CONCERNED,

(A) THAT THE STATE IN QUESTION HAS MAINTAINED AN EFFECTIVE SUSTAINED-YIELD MANAGEMENT PROGRAM FOR THE KANGAROO SPECIES OCCURRING IN THAT STATE;

(B) THAT THE TAKING OF THESE SPECIES IN THE STATE IS NOT DETRIMENTAL TO THE SURVIVAL OF THESE SPECIES IN THE WILD WITHIN THE STATE;

(C) THAT PRESERVES AND REFUGES (FEDERAL, STATE, AND PRIVATE) ARE ADEQUATE TO MAINTAIN VIABLE POPULATIONS OF ALL SPECIES IN HABITAT NOT SUBJECT TO LOSS OR ADVERSE ALTERATION, AND THAT CONTINUING EFFORTS ARE BEING MADE TO ACQUIRE ADDITIONAL PRESERVES AND REFUGES FOR THESE SPECIES;

(D) THAT ADEQUATE RESOURCES (MANPOWER AND MONEY) ARE DEVOTED TO THE MANAGEMENT AND PROTECTION OF THESE SPECIES IN EACH STATE CONCERNED AND THAT ADDITIONAL RESOURCES ARE BEING DEVOTED TO THIS CAUSE AS THE OCCASION DEMANDS OR THE OPPORTUNITY ARISES;

(E) THAT CONTINUING EFFORTS ARE BEING MADE TO IMPROVE BASIC MANAGEMENT DATA ON POPULATION LEVELS, HABITAT TREND, AND KILL STATISTICS, AND THAT THESE DATA ARE UNCLASSIFIED  
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UTILIZED TO ENHANCE OPTIMUM SUSTAINED-YIELD MANAGEMENT PROGRAMS; AND

(F) THAT CONTINUING EFFORTS ARE BEING MADE TO EDUCATE THE PUBLIC, PARTICULARLY LANDOWNERS, TO THE VALUE OF KANGAROOS BOTH AS A VALUABLE RENEWABLE RESOURCE AND A NATIONAL HERITAGE THAT MUST BE MAINTAINED IN PERPETUITY.

7. BEFORE TAKING ANY FURTHER ACTION ON THIS ISSUE, THE DIRECTOR MUST HAVE IN HAND THE CERTIFICATIONS DESCRIBED IN PARAGRAPH 2. THESE CERTIFICATIONS ARE IN ADDITION TO ANY THAT GOA MAY BELIEVE IT HAS ALREADY GIVEN IN PREVIOUS COMMUNICATIONS.

8. IN ADDITION, IT NEEDS TO BE EMPHASIZED THAT, SHOULD THE USA IMPORT BAN BE LIFTED, OUR ENFORCEMENT AGENTS AT THE USA PORTS OF ENTRY MUST HAVE SOME ASSURANCE FROM GOA THAT ALL ELEMENTS OF ANY GIVEN SHIPMENT OF KANGAROO OR KANGAROO PRODUCTS REPRESENT LEGALLY TAKEN ANIMALS FROM AN

APPROVED AUSTRALIAN STATE. IN OUR OPINION AN OFFICIAL  
GOA EXPORT DOCUMENT ACCOMPANYING EACH REPEAT EACH SHIP-  
MENT WOULD SATISFY THIS REQUIREMENT IF THE DOCUMENT CON-  
TAINED AN OFFICIALLY SIGNED STATEMENT TO THIS EFFECT. INGERSOLL

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